

Remarks

Favorable reconsideration of this application in view of the amendments to the claims and the remarks below is respectfully requested.

There are currently 17 claims in this application. Claims 1 and 11 have been amended by this response in order to more clearly set forth the structural elements of the claimed invention. Basis for the amendments is found in the specification on page 3, line 16 to page 4, line 2.

Rejections under 35 U.S.C. § 103(a)

Claims 1 and 8 are rejected under 35 USC 103(a) as being unpatentable over Benderev '745 in view of Leivseth et al. The basis of the rejection is that Benderev discloses a shaft, a pressure sensitive element and a feedback element, and that Leivseth et al teaches a pressure sensitive device, rendering it obvious to one having ordinary skill in the art at the time the invention was made to associate the shaft with a device responsive to applied pressure from a user. This rejection is respectfully traversed.

Both the instant claimed invention and the device disclosed in Benderev relate to pelvic muscle devices. However, the devices are not the same. The primary difference between the two is the role of the "pressure sensitive element". In the instant invention, the "pressure sensitive element" generates a feedback signal when the person using the device manages to constrict the pelvic muscles sufficiently to generate the signal. The element is responsive to pressure applied to it. In contrast, the pressure sensitive element of Benderev generates pressure in the anatomical passageway where the device is inserted ('745, col 2, lines 60-63). Thus it is a pressure-exerting member ('745, col 4, lines 51-52). Leivseth et al disclosed a device that can be compressed. The probe comprises two halves with a gap (14) between them. There is no suggestion in the combined references of a "solid" shaft where the pressure exerted by the patient is measured, rather than the probe exerting pressure on the patients.

In order to facilitate consideration of this invention, applicant has amended Claim 1 to more particularly point out and claim the pressure sensitive element and the feedback element of the instant invention. Reconsideration is respectfully requested.

Claims 1-17 are rejected under 35 USC 103(a) as being unpatentable over Benderev '467 in view of Leiveth. The basis of the rejection is that Benderev discloses all of the limitations of the claimed invention except for a pressure sensitive device and Leiveth teaches a pressure sensitive device, rendering the instant invention obvious. This rejection is respectfully traversed for the reasons set forth above.

Reconsideration is respectfully requested.

Should the Examiner believe that a telephone call to the undersigned would favorably advance the prosecution of this application or narrow any outstanding issues, she is respectfully invited to call at the telephone number indicated below.

Respectfully Submitted,



Barbara V. Maurer
Reg No. 31,278
Attorney for Applicants

University of Medicine and Dentistry of New Jersey
Office of Patents and Licensing
335 George Street, Suite 3200
New Brunswick, NJ 08901
732-235-9350 (office)
732-235-9358 (fax)